

REMARKS/ARGUMENTS

Claims 29-33, 36-45 and 48-53 are pending in the present application. Claim 29 was amended to include the limitations of claims 34 and 35 and claim 41 was amended to include the limitations of claims 46 and 47. Claims 31 and 43 were each amended to correct minor informalities. Further, claims 34, 35, 46 and 47 were each cancelled.

No new matter was added. Withdrawal of all rejections is respectfully requested for the reasons set forth below.

Objection to the Specification

The Title of the Invention was objected to as not being descriptive, and a new title was required that was indicative of the invention to which the claims are directed.

In the present Amendment, the title of the invention was amended to “GAS COMPRESSER HAVING A HEAD WITH A PLURALITY OF INTERCONNECTED INLET CHAMBERS”. Applicants believe that the amended title includes a succinct summary of the basic elements of claims 35 and 47, which were incorporated into independent claims 29 and 41 to define over the prior art, as discussed below.

As such, Applicants believe that the amended Title of the Invention is descriptive of the invention to which the claims are directed, and therefore respectfully request withdrawal of the objection to the specification.

Claim Rejections - 35 U.S.C. § 112

Claims 29-53 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, it was asserted that the phrase “pivot/valve” in claims 29 and 53 were indefinite as it was not clear whether Applicants were claiming a piston, valve, or a combination of both. Further, it was noted that the phrase “series of valve assemblies” in claims 29 and 30 was unclear as it appeared to claim inlet valves that are connected in series.

In the present Amendment, claims 29 and 53 were each amended by replacing the phrase “piston/valve unit” with the term --piston--. Further, claims 29 and 30 were each amended by replacing the recitation of “the series of valve assemblies” with --at least one of the plurality of valve assemblies--.

In view of the amendments discussed above, Applicants believe that claims 29-53 are now definite and therefore request withdrawal of the 35 U.S.C. § 112, second paragraph, rejection of claims 29-53.

Claims Rejections - 35 U.S.C. § 103

Claims 29-34, 36-46 and 48-53 were each rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,015,158 of Bennitt ("Bennitt") in view of U.S. Patent No. 849,333 of Leyner and U.S. Patent No. 351,665 of Snyder. However, claims 35 and 47 were not indicated as being rejected under 35 U.S.C. 103(a), and in a telephone conference with Examiner Sayoc on November 12, 2004, the undersigned was informed that these claims would be allowable if rewritten in independent form and if the other rejections and objections discussed above and below were overcome.

In the present Amendment, claim 29 was amended to include all the limitations of claims 34 and 35, such that amended claim 29 is equivalent to claim 35 rewritten in independent form. Claim 41 was amended to include all the limitations of claims 46 and 47, such that amended claim 41 is equivalent to claim 47 rewritten in independent form.

In view of the above, independent claims 29 and 41 as amended are allowable, such that the rejection of these claims under 35 U.S.C. 103(a) should be withdrawn. Further, as claims 30-33 and 36-40 each depend from claim 29 and claims 42-45 and 48-53 each depend from claim 41, and independent claims 29 and 41 are allowable, the rejection of claims 30-33, 36-40, 42-45, and 48-53 under 35 U.S.C. 103(a) should also be withdrawn.

Double Patenting Rejection

Claims 29 and 30 were rejected under the judicially created doctrine of double patenting over claim 1 of US Patent No. 6,655,935 B2. Claims 31-53 were also rejected under the judicially created doctrine of double patenting over claims 3-25 of US Patent No. 6,655,935 B2.

Applicants have submitted a terminal disclaimer in compliance with 37 CFR 1.321(c), which has been signed by the undersigned registered attorney. The allegedly conflicting application is commonly owned by the assignee of the present application.

In view of the above, Applicants respectfully request withdrawal of the nonstatutory double patenting rejection of claims 29-53.

Conclusion

Therefore, it is respectfully submitted that all claims pending in the present Application are in condition for allowance. Reconsideration and allowance of pending claims is therefore respectfully requested.

If the Examiner believes an interview, either telephonic or in person, will advance the prosecution of this matter, it is respectfully requested that the Examiner contact the undersigned at the Examiner's convenience.

Respectfully submitted,

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